

ORDERS OF THE DAY.

Resolution offered on yesterday by Mr. Hart, requesting the Governor to furnish the Senate with the report of the Commissioners and Superintendent of the Capitol, was read and adopted.

Resolution of the Senate, that the committee on State Affairs be requested to examine into the propriety of providing for a geological survey of the State, and report thereon by bill or otherwise, at as early a day as practicable, was read and adopted.

Resolution of the Senate, that the Governor's Message and accompanying documents be referred to the appropriate committees, was read, and, on motion of Mr. Taylor, was amended by referring that portion relative to education, to the committee on Education; and that portion relating to internal improvements, to the committee on Internal Improvements.

On motion of Mr. Kyle, the resolution, as amended, was laid on the table.

Resolution of the Senate that the committee on Education be requested to report to the Senate at as early a day as may, by said committee, be deemed expedient, a bill for the establishment and support of a general and uniform system of free public schools throughout the State, was read.

Mr. Taylor moved to strike out free; lost.

The resolution was then adopted.

A bill to incorporate the Grand Temple of Honor of the State of Texas, and subordinate temples under its jurisdiction, was read second time, and, on motion of Mr. Lott, referred to the committee on the Judiciary.

A bill for the relief of James McGloin was read second time, and, on motion of Mr. Holland, referred to the same committee.

A bill to change the time of the meeting of the biennial sessions of the Legislature; read second time, and, on motion of Mr. Taylor, referred to the committee on State Affairs.

Joint resolution to provide for amending the 30th section of the general provisions of the Constitution; read second time, and, on motion of Mr. Lott, referred to the same committee.

On motion of Mr. McDade, the Senate adjourned until nine o'clock to-morrow morning.

SATURDAY, November 12, 1853.

The Senate was called to order by the President pursuant to adjournment—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Superviele presented the petition of Jose Cassiano, asking for the sum of two thousand two hundred and six dollars (\$2,206), which, on motion of Mr. Superviele, was referred to the committee on Claims and Accounts.

Mr. McDade presented the petition of Josiah Bishop, asking for relief; which, on motion of Mr. McDade, was referred to the committee on Private Land Claims.

Mr. Burks presented the petition of Nancy Whitaker and Josephine Parks, asking for six hundred and forty acres of land; which, on motion of Mr. Burks, was referred to the committee on Private Land Claims.

The President presented the following communication:

To the Hon. J. W. HENDERSON,
President of the Senate:

The undersigned have the honor, on behalf of the citizens of San Antonio, to invite the honorable the members of the Senate to meet Gen. Thomas J. Rusk, at dinner, on the 19th inst., in that city.

Respectfully, your obedient servants,

JNO. D. McLEOD,
R. E. CLEMENTS,
D. C. OGDEN,
GEO. T. HOWARD,
GEO. CUPPLES,
WM. B. JACQUES,
TRO. WARD,
J. S. McDONALD.

City of Austin, November 11, 1853.

Communication read, and, on motion of Mr. Kyle, laid on the table.

Mr. Bryan, chairman of the committee on Public Buildings, made the following report:

To the Hon. J. W. HENDERSON,
President of the Senate:

The committee on Public Buildings, who were instructed to examine the Senate chamber in the new capitol, and report how soon the same could be made ready for the reception of the Senate, have made the examination required, and conversed with the Superintendent, Commissioners and Contractor, and have been induced to believe that the new chamber will be ready for the use of the Senate within two weeks from the present time. The committee have examined, as required, the Milam Lodge,

No. 23, I. O. O. F., of Austin City, and do not deem it a suitable room for the session of the Senate; they would recommend a respectful declension of the same, which was so generously tendered. The committee are of opinion that the Senate is more comfortable in their present chamber than in any which could be obtained in the city of Austin.

All of which is respectfully reported.

GUY M. BRYAN, Chairman.

On motion of Mr. Sublett, the rule requiring reports to lie on the table one day was suspended and the report adopted.

Mr. Taylor introduced the following bills:

A bill to incorporate the Sharon Union School;

A bill to establish a system of common schools;

A bill to incorporate the Black Cypress Bridge, Ferry and Turnpike Company, and

A joint resolution proposing an amendment to the Constitution of the State of Texas, which were severally read a first time.

Mr. Armstrong introduced the following bills:

A bill to amend an act regulating the proceedings in the district courts;

A bill granting one-third of a league of land to William Windgate;

A bill supplementary to an act regulating fees of office;

A bill to authorize Bartlett Sims to raise a location therein named, and to locate the same upon any vacant land, and

A bill to be entitled an act concerning writs of error, which were severally read a first time.

Mr. McAnnelly introduced a bill for the relief of the heirs of Matthew Burnett; read a first time.

Mr. Martin introduced a bill requiring the counties of Kaufman, Van Zandt and Wood to pay a portion of the old debt of the county of Henderson; read first time.

Mr. Bryan offered the following resolution:

Resolved, That the committee on Finance be instructed to ascertain from the Comptroller, and report to the Senate, the whole expense incurred in the collection of the annual revenue of the State and counties.

On motion of Mr. Potter, the rule requiring resolutions to lie on the table one day was suspended, and the resolution adopted.

Mr. Guinn introduced a bill to prevent vice and immorality on the Sabbath; read first time.

Mr. Taylor offered the following resolution:

Resolved by the Senate, That the 38th rule of the Senate be rescinded.

On motion of Mr. Holland, the resolution of the Senate relative to the Governor's Message and accompanying documents, was taken from the table.

Mr. Holland offered the following as a substitute :

Resolved, That the Governor's Message and accompanying documents, respectively, be referred to the following committees: that portion relating to internal improvements, to the committee on Internal Improvements; that on education, to the committee on Education; that recommending an increase of the salaries of the different officers, to the committee on Finance; that on Indian relations, to the committee on Indian Affairs; that portion relating to agriculture, to the committee on State Affairs; that in relation to the report of the Commissioner of the General Land Office, to the committee on the General Land Office; that appertaining to the report of the Adjutant General, to the committee on Military Affairs; adopted and motion carried.

A message was received from the House, through its Chief Clerk, Mr. Hill, transmitting the message of the Governor and accompanying documents, and also informing the Senate that the House had resolved (with the concurrence of the Senate), that the two Houses will meet in the Representative Hall, at the hour of 10 o'clock to-day, for the purpose of opening and publishing the election returns for Governor and Lieutenant-Governor.

On motion of Mr. Sublett, the resolution of the House, just reported, was taken up and amended by striking out 10 o'clock, and inserting half-past 2 o'clock.

ORDERS OF THE DAY.

Joint resolutions donating the per diem pay of each member of the fifth Legislature, for one day, to the relief of the sufferers from yellow fever within our State; read second time, and on motion of Mr. Armstrong, referred to the committee on Finance.

A bill to incorporate the Medical Association of Texas; read second time, and, on motion of Mr. Bryan, the caption was amended by striking out "Honorable Senate and House of Representatives," and inserting "Legislature of the State of Texas."

Mr. Holland moved to refer said bill to the committee on State Affairs; lost.

On motion of Mr. Gage, it was referred to the committee on the Judiciary.

A bill for the relief of Albert T. Burnley; read second time, and, on motion of Mr. Taylor, referred to the same committee.

A bill to repeal an act to indemnify the owners for the loss of slaves executed for capital offences, approved January 25th,

1852; read second time, and, on motion of Mr. Hart, referred to the same committee.

A message was received from the House, concurring in the amendment of the Senate, to the resolution adopted by the House, relative to the opening and publishing the returns of the election for Governor and Lieutenant-Governor.

A bill to amend an act to incorporate Chappell Hill Male and Female Institute; read second time, and, on motion of Mr. McDade, referred to the committee on Education.

A bill to reduce into one act, and to amend the several acts granting to settlers on vacant public domain pre-emption privileges; read second time, and, on motion of Mr. Hart, referred to the committee on Public Lands.

A bill to create the office of State Geologist; read second time, and, on motion of Mr. Sublett, referred to the committee on State Affairs.

A bill to endow and establish two universities in the State of Texas; read second time, and, on motion of Mr. Lott, referred to the committee on Education.

A bill to amend an act to amend the 26th section of an act concerning crimes and punishments; read second time, and, on motion of Mr. Guinn, referred to the committee on the Judiciary.

A bill supplementary to an act supplementary to an act for the relief of citizens of Mercer's Colony, of date February 2, 1850; read second time, and, on motion of Mr. Martin, referred to the committee on Public Lands.

Resolution of the Senate that the Secretary of the Senate be instructed to ascertain and inform the Senate, on Monday the 14th inst., whether two convenient rooms for the use of the committees can be provided, and at what price; read and adopted.

A bill to invest three millions of dollars, and encourage internal improvements; read second time, and, on motion of Mr. Sublett, was referred to the committee on Internal Improvements.

A bill to regulate mills and millers; read second time, and, on motion of Mr. Kyle, referred to the committee on State Affairs.

A bill to incorporate the Austin and Houston Turnpike Company; read second time, and, on motion of Mr. McAnelly, referred to the committee on Roads, Bridges and Ferries.

On motion of Mr. McDade, the Senate adjourned until 2 o'clock, P. M.

Two O'CLOCK P. M.

The Senate met—roll called—quorum present.

On motion of Mr. Kyle, the communication of John D. McLeod and others, inviting the members of the Senate, in behalf of

the citizens of San Antonio, to meet Gen. T. J. Rusk at a dinner on the 19th inst. in that city, was taken from the table.

Mr. Sublett offered the following resolution :

Resolved, That the Senate tender their thanks to Messrs. Jno. D. McLeod, R. E. Clements, D. C. Ogden, Geo. T. Howard, Geo. Cupples, Wm. B. Jacques, Tro. Ward and J. S. McDonald, citizens of San Antonio, for their polite invitation, but respectfully decline accepting the same ; which was adopted.

On motion of Mr. Potter, the Senate proceeded to the Representative Hall, for the purpose of opening and publishing the returns of the election for Governor and Lieutenant Governor.

IN JOINT SESSION.

The roll of the two houses being called, and a quorum of each being present, Mr. Jowers was appointed teller on the part of the Senate. The two houses then proceeded to count the votes ; whereupon the Speaker announced that for the office of Governor, E. M. Pease had received thirteen thousand and ninety-one votes (13,091) ; William B. Ochiltree, nine thousand one hundred and seventy-eight (9,178) ; George T. Wood, five thousand nine hundred and eighty-three (5,983) ; Lemuel D. Evans, four thousand six hundred and seventy-seven (4,677) ; Thomas J. Chambers, two thousand four hundred and forty-nine (2,449) ; Jon W. Dancy, three hundred and fifteen (315) ; scattering, four hundred and fifty-nine (459).

For Lieutenant-Governor, David C. Dickson received fourteen thousand two hundred and fifteen votes (14,215) ; Jerome B. Robertson, six thousand eight hundred and ninety-eight (6,898) ; Jared E. Kirby, five thousand nine hundred and sixty-seven (5,967) ; Richard A. Goode, eight hundred and eighty-five (885) ; William C. Henry, four thousand eight hundred and twenty-three (4,823).

E. M. Pease having received the largest number of votes for Governor, was declared by the Speaker duly and constitutionally elected Governor of the State for the term of two years from the 21st day of December next ; and

David C. Dickson, having received the largest number of votes for Lieutenant-Governor, was declared by the Speaker duly and constitutionally elected Lieutenant-Governor of the State for the term of two years from the 21st of December next ensuing.

The Senate returned to their chamber.

Mr. Potter, chairman of the committee on the Judiciary, made the following report :

The committee on the Judiciary have considered a bill to in-

corporate the Medical Association of Texas. The committee believe that a well organized association of the kind proposed, will produce beneficial results, and that with a few amendments, the bill proposed will be unobjectionable. The committee, therefore, recommend the passage of the bill with the following amendments :

1st. Amend the first section by striking out the words, "in perpetuity or for any term of years," and insert in place thereof "for the term of fifty years."

2d. In same section amend by inserting, after the word "soever," "not to exceed in value the sum of one hundred thousand dollars."

3d. Strike out the second section, and insert "Section 2d. That this act shall take effect and be in force from and after its passage."

On motion of Mr. Paschal, the rule requiring reports to lie on the table one day, was suspended, the report adopted and the bill ordered to be engrossed.

On motion, the Senate adjourned until 9 o'clock Monday morning.

MONDAY, November 14, 1853.

The Senate was called to order by the President pursuant to adjournment—roll called—quorum present.

The journal of Saturday read and adopted.

Mr. James T. Lytle, Senator elect from District No. 26, composed of the counties of Calhoun, Victoria, Jackson, Goliad, DeWitt and La Vaca, presented his credentials, was qualified and took his seat.

Mr. Edwards presented the petition of H. M. Kinsey, which, on motion of Mr. Edwards, was referred to the committee on Public Debt.

Mr. Edwards presented a petition for the relief of the heirs of John Farmer; which, on motion of Mr. Edwards, was referred to the committee on Private Land Claims.

Mr. Durst presented a petition to amend the Corpus Christi Corporation Charter, and establish a free school in said place; which, on motion of Mr. Durst, was referred to the committee on the Judiciary.

Mr. Lott, chairman of the committee on Privileges and Elections, made the following report :